



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

09/668,039

09/21/2000

William J. Beyda

00P7906US

9089

7590

09/01/2006

Siemens Corporation  
Intellectual Property Department  
186 Wood Avenue South  
Iselin, NJ 08830

EXAMINER

REFAI, RAMSEY

ART UNIT

PAPER NUMBER

2152

DATE MAILED: 09/01/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No. 09/668,039	Applicant(s) BEYDA, WILLIAM J.	
	Examiner Ramsey Refai	Art Unit 2152	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 14 July 2006.
- 2a) ☐ This action is FINAL.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-5, 14-18 and 29-37 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-5, 14-18, and 29-37 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

Art Unit: 2152

## DETAILED ACTION

### *Response to Amendment*

Responsive to Request for Continued Examination (RCE) received June 28, 2006. Claims 1-5, 14-18, and 29-33 have been amended. Claims 1-5, 14-18, and 29-33 remain pending further examination. Claims 34-37 are new. Claims 1-5, 14-18, and 29-37 are now pending further examination.

### *Response to Arguments*

1. Applicant's arguments have been considered but are moot in view of the new ground(s) of rejection.

### *Claim Rejections - 35 USC § 103*

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-5, 14-18, and 29-37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fields et al (U.S. Patent No. 6,704,797) in view of Sato (U.S. Patent No. 6,914,691).

4. As per claim 1, Fields et al teach an electronic messaging system for filtering electronic messages, comprising

a message server operable to receive and transmit electronic messages including electronic mail messages (column 3, line 65), the message server comprising an access restriction filter (column 2, lines 40-58, column 6, lines 52-54);

wherein the access restriction filter is configured to detect an access restriction notice in the respective ones of the electronic messages, and, the access restriction filter being

Art Unit: 2152

additionally configured to respond to the detection of the access restriction notice in accordance with a prescribed transmission policy for handling electronic messages containing the detected access restriction notice (column 2, line 35—column 3, line 15).

Fields et al fail to teach the access restriction filter comprising a character recognizer configured to translate characters in image components of respective ones of electronic messages into computer-readable character representations and comparing the one or more translated computer readable character representations respectively produced by the character recognizer to respective representations of one or more access restriction notices stored in memory. However, Sato teach a detection process for detecting copyright restriction characters on images and executes pattern matching with characters stored in memory to impose stored restriction policies, such as prevent copying of the image (column 8, lines 9-34). It would have been obvious to one of the ordinary skill in the art to combine the teachings of Fields et al and Sato because doing so would create a way to detect copyright symbols on protected images and determine what restriction needs to be imposed on distribution of the protected image.

5. As per claim 2, Fields et al teach wherein the access restriction filter is configured to detect in respective ones of the electronic messages an access restriction notice indicating ownership of at least a portion of the respective ones of the electronic message (column 2, lines 35-60).

6. As per claim 3, Fields et al teach wherein the access restriction filter is configured to detect a copyright notice in respective ones of the electronic message (column 1, lines 35-41, column 6, lines 50-54).

7. As per claim 4, Fields et al teach wherein the access restriction filter is configured to detect the copyright notice by comparing one or more characters in the respective ones of

Art Unit: 2152

electronic messages to respective characters of one or more copyright notices stored in memory (column 2, line 35—column 3, line 15).

8. As per claim 5, Fields et al teach wherein the access restriction filter is configured to detect the copyright notice by comparing characters in header component of the respective ones of electronic messages with respective characters of the one or more stored copyright notices (column 4, lines 44–67).

9. As per claim 30, Fields et al fail to explicitly teach wherein the access restriction filter is configured to detect at least one of the following access restriction notices in the electronic messages: a "confidential" notice, an "internal use only" notice, an "attorney–client privileged" notice, and an "attorney work product" notice. However, Sato teaches a method to detect character strings, which indicate, “ Production copy unauthorized” or “ This image is production so cannot be copied” . The detecting process extracts the character string data and recognizes the concerned data string using a character recognizing means (column 8, lines 23–35). It would have been obvious to one of the ordinary skill in the art to combine the teachings of Fields et al and Sato because doing so would create a way to detect copyright symbols on protected images and determine what restriction needs to be imposed on distribution of the protected image.

10. As per claim 33, Fields et al teach wherein at least one of the electronic message comprises a primary message and at least one attachment, and the access restriction filter is configured to compare characters in the primary message and characters in the at least one attachment to respective characters of the one or more stored access restriction notices (column 4, lines 34–39).

Art Unit: 2152

11. As per claim 34 and 36, Fields et al fails to teach wherein the access restriction filter is configured to trigger display of a report to a user in response to the detection of the access restriction notice. However, Sato teaches that the user or host computer is given a warning display to notify the user that the image specified is protected (column 9, lines 12-22, column 10, lines 1-10). It would have been obvious to one of the ordinary skill in the art to combine the teachings of Fields et al and Sato because doing so would create a way to detect copyright symbols on protected images and determine what restriction needs to be imposed on distribution of the protected image and notify the user of that restriction.

12. As per claim 35 and 37, Fields et al fail to teach wherein the access restriction filter is configured to trigger display of a report to a user a message reporting that a corresponding one of the electronic messages cannot be transmitted because of the detection of the access restriction. However, Sato teaches that the user or host computer is given a warning display to notify the user that the image specified is protected (column 9, lines 12-22, column 10, lines 1-10). It would have been obvious to one of the ordinary skill in the art to combine the teachings of Fields et al and Sato because doing so would create a way to detect copyright symbols on protected images and determine what restriction needs to be imposed on distribution of the protected image and notify the user of that restriction.

13. As per claims 14-18, 29, 31, and 32, these claims contain similar limitations as claims 1-5 and 30 above, therefore are rejected under the same rationale.

### *Conclusion*

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure are cited in the Notice of Reference Cited form (PTO-892).

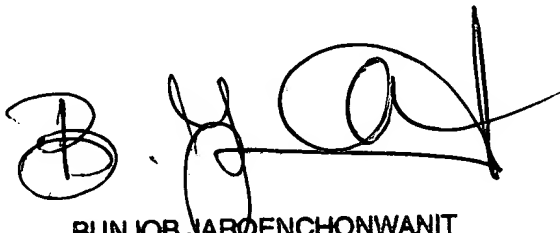
Art Unit: 2152

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ramsey Refai whose telephone number is (571) 272-3975. The examiner can normally be reached on M-F 8:30 - 5:00 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bunjob Jaroenchonwanit can be reached on (571) 272-3913. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Ramsey Refai  
Examiner  
Art Unit 2152  
August 16, 2006



BUNJOB JAROENCHONWANIT  
SUPERVISORY PATENT EXAMINER